

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA) No. 3:18-cr-00293
v.) Judge Richardson
JORGE FLORES)
JOSE PINEDA-CACERES)
KEVIN TIDWELL)

MOTION TO PARTIALLY UNSEAL A PORTION OF THE TRIAL TRANSCRIPT

The United States of America, by and through Robert E. McGuire, Acting United States Attorney, and Ahmed A. Safeeullah, Assistant United States Attorney, hereby moves this Court to partially unseal a portion of the trial transcript, as to the United States, for the United States to respond to Defendant Kevin Tidwell's Appellate brief.

On April 4, 2023, this Court began a jury trial in this case and selected a jury. (DE# 532). The trial continued for approximately one month. On May 5, 2023, the jury convicted the defendant, Jorge Flores, and Jose Pineda-Caceres of various offenses. (DE# 571, 573, 575). After the defendant's conviction, he timely filed a notice of appeal. (DE# 772). The court reporter subsequently prepared a trial transcript to aid the parties draft and submit their appellate briefs. (DE# 600-15, 638-40, 678, 780-85, 788-91, 803, 805).

On appeal before the United States Court of Appeals for the Sixth Circuit, the defendant has alleged his Sixth Amendment rights were violated based on remarks and statements made during jury selection process. For the United States to effectively respond to this allegation, the United States needs a copy of the sealed transcripts from the jury selection process which are reflected as Docket Entry Nos. 638, 639, and 640. The United States is not requesting these transcripts be made available to the public. Instead, the United States is requesting that the Clerk's

Office provide these transcripts directly to the United States for the purpose of drafting a reply appellate brief.

WHEREFORE, the United States respectfully requests the trial transcripts contained within Docket Entries 638, 639, and 640, be partially unsealed as to the United States, as described in the attached proposed Order.

Respectfully submitted,

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